

**SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA**

FILED IN OFFICE
CLERK OF SUPERIOR COURT
RICHMOND COUNTY, GEORGIA
2022RCCV00536
AMANDA N. HEATH
NOV 29, 2022 05:49 PM


Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

CIVIL ACTION NUMBER 2022RCCV00536

Mayes, Sonya A
Paschal, Ja'Quez
Coleman, Ja'Vontae
Mayes, Zyrese

PLAINTIFF

VS.

Augusta-Richmond County Government -
Mayor Hardie Davis
Richmond County Sheriff's Office - Sheriff
Richard Roundtree
Doe, John

DEFENDANTS

SUMMONS

TO: RICHMOND COUNTY SHERIFF'S OFFICE - SHERIFF RICHARD ROUNDTREE

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Travis Foreman
Law Office of Travis O. Foreman, LLC
2133 Lawrenceville-Suwanee Rd, Suite 12-427
Suwanee, Georgia 30024

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.


This 29th day of November, 2022.

Clerk of Superior Court



Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

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VS.

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Mayor Hardie Davis
Richmond County Sheriff's Office - Sheriff
Richard Roundtree
Doe, John

DEFENDANTS

SUMMONS

TO: DOE, JOHN

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Travis Foreman
Law Office of Travis O. Foreman, LLC
2133 Lawrenceville-Suwanee Rd, Suite 12-427
Suwanee, Georgia 30024

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PLAINTIFF

VS.

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Richmond County Sheriff's Office - Sheriff
Richard Roundtree
Doe, John

DEFENDANTS

SUMMONS

TO: AUGUSTA-RICHMOND COUNTY GOVERNMENT - MAYOR HARDIE DAVIS

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Travis Foreman
Law Office of Travis O. Foreman, LLC
2133 Lawrenceville-Suwanee Rd, Suite 12-427
Suwanee, Georgia 30024

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 29th day of November, 2022.

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Hattie Holmes Sullivan

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Richmond County, Georgia

General Civil and Domestic Relations Case Filing Information Form

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2022RCCV00536
AMANDA N. HEATH

☒ Superior or ☐ State Court of Richmond County

For Clerk Use Only

Date Filed 11-29-2022

MM-DD-YYYY

Case Number 2022RCCV00536

NOV 29, 2022 05:49 PM

Hattie Holmes Sullivan
Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

Plaintiff(s)

Mayes, Sonya A

Last	First	Middle I.	Suffix	Prefix
Paschal,	Ja'Quez			
Coleman,	Ja'Vontae			
Mayes,	Zyrese			

Defendant(s)

Augusta-Richmond County Government - Mayor Har

Last	First	Middle I.	Suffix	Prefix
Richmond County Sheriff's Office - Sheriff Ric				
Doe,	John			

Plaintiff's Attorney Foreman, TravisBar Number 521429Self-Represented ☐

Check one case type and, if applicable, one sub-type in one box.

General Civil Cases

- ☐ Automobile Tort
☐ Civil Appeal
☐ Contract
☐ Contempt/Modification/Other Post-Judgment
☐ Garnishment
☒ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Dissolution/Divorce/Separate Maintenance/Alimony
☐ Family Violence Petition
☐ Modification
☐ Custody/Parenting Time/Visitation
☐ Paternity/Legitimation
☐ Support - IV-D
☐ Support - Private (non-IV-D)
☐ Other Domestic Relations

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

**IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA**

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Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

**SONYA ALICIA MAYES, JA'QUEZ
PASCHAL, JA'VONTAE COLEMAN,
AND ZYRESE MAYES**

Plaintiffs,

v.

**AUGUSTA-RICHMOND COUNTY
GOVERNMENT, RICHMOND COUNTY
SHERIFF'S OFFICE, SHERIFF
RICHARD ROUNDTREE, individually and
in his official capacity, and JOHN DOES,**
Defendants.

CIVIL ACTION

FILE NO.:

JURY TRIAL DEMANDED

COMPLAINT

COMES NOW, SONYA ALICIA MAYES, JA'QUEZ PASCHAL, JA'VONTAE COLEMAN, AND ZYRESE MAYES, Plaintiffs, and hereby makes and files this complaint against Defendants AUGUSTA-RICHMOND COUNTY GOVERNMENT, RICHMOND COUNTY SHERIFF'S OFFICE, SHERIFF RICHARD ROUNDTREE, and John Does as follows:

PARTIES AND JURISDICTION

1.

Plaintiff Sonya Alicia Mayes resides at 1104 Quaker Road, Waynesboro, Georgia 30830, and submits to the jurisdiction of this Court.

2.

Plaintiff Ja'Quez Paschal resides at 1104 Quaker Road, Waynesboro, Georgia 30830, and submits to the jurisdiction of this Court.

3.

Plaintiff Ja’Vontae Coleman resides at 1104 Quaker Road, Waynesboro, Georgia 30830, and submits to the jurisdiction of this Court.

4.

Plaintiff Zyrese Mayes resides at 1104 Quaker Road, Waynesboro, Georgia 30830, and submits to the jurisdiction of this Court.

5.

Augusta-Richmond County is a municipality and consolidated county of the State of Georgia and is responsible for the funding and operation of the Richmond County Sheriff’s Office. Defendant Augusta-Richmond County may be served with process through Mayor Hardie Davis at 535 Telfair Street, Suite 200, Augusta, Georgia 30901 and is subject to the jurisdiction of this court.

6.

Defendant Sheriff Richard Roundtree is the duly elected Sheriff for Augusta-Richmond County and is responsible for the supervision, maintenance and operation of the Richmond County Sheriff’s Office and may be served with process at 400 Walton Way, Augusta, Georgia 30901. Defendant Sheriff Richard Roundtree is subject to the jurisdiction of this court.

7.

Defendant John Does are the unknown and unidentified individuals or entities who injured plaintiff, were deliberately indifferent to his/her needs and violated his/her constitutional rights.

8.

On August 13, 2021, Plaintiffs gave ante litem notice to Augusta-Richmond County, and plaintiff has complied with all conditions precedent to bringing this action. (A copy of the ante litem notice is attached as Exhibit “A.”)

9.

Defendants have waived any defense of sovereign immunity by the purchase of liability insurance or otherwise.

10.

This Court has subject matter jurisdiction over the claims asserted herein and personal jurisdiction over the Defendants.

11.

Venue is proper in the Superior Court of Richmond County.

BACKGROUND

12.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 11 above as if fully restated.

13.

On or around July 31, 2021, Plaintiffs were residing at the Red Roof Inn located at 3030 Washington Road, Augusta, Georgia 30907 and had arrived home and parked when Defendants, John Does, of Richmond County Sheriff's Office effectuated an unlawful stop and continually engaged in a pattern of conduct which led to use of excessive force and the false arrests of Plaintiffs.

14.

As a result of this incident, Plaintiff Sonya Mayes suffered severe and serious injuries as follows: broken left wrist, right shoulder injury, torn right rotator cuff, hip injury, in addition to neck and back injuries.

COUNT 1

42 U.S.C. § 1983 – VIOLATION OF CIVIL RIGHTS

15.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 14 above as if fully restated.

16.

Defendants, acting under color and authority of state law, have maliciously, intentionally and with deliberate indifference deprived Plaintiffs of their rights, privileges and immunities secured by the United States Constitution, specifically, the Fourth and Fourteenth Amendments and its laws pursuant to 42 U.S.C. § 1983.

17.

Defendants maliciously, intentionally and with deliberate indifference deprived Plaintiffs of their Fourth and Fourteenth Amendment rights, including the prohibition against unreasonable search and seizures and the use of excessive force by assaulting and battering Plaintiffs and illegally detaining them without probable cause or reasonable suspicion, thereby violating their individual right to be free from unlawful seizure.

18.

Defendants maliciously, intentionally and with deliberate indifference deprived Plaintiffs of their Fourth and Fourteenth Amendment rights, including the prohibition against depriving persons of life, liberty or property without due process of law, and the prohibition against denying any person equal protection under the laws by illegally detaining Plaintiffs without probable cause or reasonable suspicion, thereby violating their individual right to be free from unlawful detention and arrest.

19.

As a result of Defendants' actions in depriving Plaintiffs of their civil rights and rights guaranteed under the United States Constitution pursuant to 42 U.S.C. § 1983, Plaintiffs have suffered the damages outlined in Count 6 of this complaint entitled Damages.

COUNT 2

42 U.S.C. § 1983 – VICARIOUS LIABILITY

20.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 19 above as if fully restated.

21.

Defendants have a persistent and widespread practice of allowing and promoting excessive force incidents, failing to properly train and supervise officers, and being deliberately indifferent to the serious needs of citizens, thereby allowing the deprivation of Plaintiffs' civil rights, as described in Count 1 of this Complaint, entitled 42 U.S.C. § 1983 – Violation of Civil Rights.

22.

As a result of the aforementioned conduct, Plaintiffs have suffered damages as described in Count 6 of this complaint, titled Damages.

COUNT 3
STATE LAW CLAIMS

23.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 22 above as if fully restated.

24.

Defendants were negligent and have violated state common law by allowing police officers to use excessive force and make unlawful arrests on Plaintiffs.

25.

As a result of the Defendants' conduct, Plaintiffs are entitled to damages as outlined in Count 6 of the complaint.

COUNT 4
PUNITIVE DAMAGES

26.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 25 above as if fully restated.

27.

Defendants, in their individual capacity, knowingly, maliciously and intentionally injured Plaintiff Mayes and have acted with a willful, wanton and reckless disregard of Plaintiffs' rights.

28.

As a result of Defendants' malicious, reckless and intentional conduct, Plaintiffs are entitled to a punitive damages award against Defendants in their individual capacity.

COUNT 5
ATTORNEYS' FEES

29.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 28 above as if fully restated.

30.

Pursuant to 42 U.S.C. § 1988 and state law, Plaintiffs are entitled to an award of reasonable attorneys' fees and costs of litigation.

COUNT 6
DAMAGES

31.

Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through 30 above as if fully restated.

32.

As a result of Defendants' conduct, Plaintiff Mayes have incurred past medical expenses and will continue to incur medical expenses in the future.

33.

As a result of Defendants' conduct, Plaintiffs have incurred past and future lost wages.

34.

As a result of Defendants' conduct, Plaintiffs have incurred mental and physical pain and suffering and will continue to experience pain and suffering in the future.

35.

Because of the described injuries, plaintiff has suffered special damages in excess of **\$162,000.00** – a specific amount to be proven at trial. An itemized statement of the special damages is attached to this complaint as Exhibit "B" and incorporated by reference.

WHEREFORE, Plaintiffs pray that they have a trial on all issues and judgment against Defendants as follows:

- (a) That Plaintiffs recover the full value of past and future medical expenses and past and future lost wages in an amount to be proven at trial;
- (b) That Plaintiffs recover for mental and physical pain and suffering and emotional distress in an amount to be determined by the enlightened conscience of the jury;
- (c) That Plaintiffs recover such other and further relief as is just and proper;
- (d) That all issues be tried before a jury.

This 28th day of November 2022.

Respectfully submitted,

LAW OFFICE OF TRAVIS O. FOREMAN


By: 

TRAVIS O. FOREMAN
Georgia Bar No. 521429

JACQUES ALPACINO BARKER
Georgia Bar No. 415914
Attorneys for Plaintiffs

Law Office of Travis O. Foreman, LLC
2133 Lawrenceville-Suwanee Rd
Suite 12-427
Suwanee, GA 30024
(470) 399-3014
travisforemanlaw@gmail.com

Barker Law Group, LLC.
4850 Sugarloaf Parkway
Suite 209-326
Lawrenceville, GA 30044
(844) 344-3055
(678) 310-1546 Fax
jacques.barker@blgatl.com

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Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

EXHIBIT A

LAW OFFICE OF TRAVIS O. FOREMAN, LLC

A T T O R N E Y & C O U N S E L O R A T L A W

2133 Lawrenceville-Suwanee Rd Suite 12-427

SUWANEE, GEORGIA 30024

Travis O. Foreman, Esquire
E-mail: travisforemanlaw@gmail.com

DIRECT DIAL: 470-399-3014
FAX: 877-389-7793

August 13, 2021

Travis O. Foreman, Esq.
E-mail: TravisOForemanLaw@gmail.com

Certified Mail
Return Receipt Requested
Richmond County Sheriff's Office
C/O Sheriff Richard Roundtree
400 Walton Way
Augusta, GA 30901

Certified Mail
Return Receipt Requested
Augusta-Richmond County Government
Clerk of Commission
C/O Lena J. Bonner
535 Telfair Street
Suite 220
Augusta, GA 30901

Certified Mail
Return Receipt Requested
Augusta-Richmond County Government
Law Department
C/O Wayne Brown, General Counsel
535 Telfair Street
Building 3000
Augusta, GA 30901

Certified Mail
Return Receipt Requested
Augusta-Richmond County Government
Mayor's Office
C/O Hardie Davis, Jr., Mayor
535 Telfair Street
Suite 200
Augusta, GA 30901

Certified Mail
Return Receipt Requested
Augusta-Richmond County Government
Administrator's Office
C/O Odie Donald II, Administrator
535 Telfair Street
Suite 910
Augusta, GA 30901

RE: **Ante Litem Notice Pursuant to O.C.G.A. § 36-11-1**

Date of Incident: 07/31/2021

Place of Incident: Red Roof Inn, 3030 Washington Road, Augusta, 30907

Nature of Claim: Personal Injury/Excessive Force/Intentional Infliction of Emotional Distress/Wrongful Arrest

Dear Augusta-Richmond County Government:

Please be advised that the Law Office of Travis O. Foreman, LLC has been retained to represent the interests of Sonya Alicia Mayes, Ja'Quez Paschal, Ja'Vontae Coleman and Zyrese Mayes in connection with a claim for injuries received after excessive force was used by Deputies of the Richmond County Sheriff's Office. Pursuant to O.C.G.A. § 36-11-1 and O.C.G.A. § 36-33-5, this letter will serve as notice to the Sheriff's Office, Law Department, Mayor's Office, Administrator's Office, and Clerk of Commission of Augusta-Richmond County Government that Mrs. Mayes, et al intend to file a lawsuit against Augusta-Richmond County Government, whose conduct is believed to have proximately caused the injuries and damages sustained by her, Ja'Quez Paschal, Ja'Vontae Coleman and Zyrese Mayes. Mrs. Mayes suffered serious injury after an excessive and unprovoked assault and battery by a member of the Richmond County Sheriff's Office. We contend that Augusta-Richmond County Government negligently failed to take preventive measures such as adequate personnel training, hiring, and supervision of its officers and violated Mrs. Mayes' civil rights by negligently utilizing excessive force while making a false arrest or imprisonment of Mrs. Mayes, Ja'Quez Paschal and Ja'Vontae Coleman. Therefore, Mrs. Mayes experienced severe damages as a result of the tortious acts and omissions of Augusta-Richmond County Government. As such, claims which may be alleged include excessive force, wrongful arrest, false imprisonment, as well as, others which may become apparent through the discovery process. Moreover, this correspondence is

provided to you pursuant to O.C.G.A. §36-11-1 and O.C.G.A. § 36-33-5, as Mrs. Mayes official Ante Litem Notice of claims for losses and intent to pursue money damages.

The following is provided pursuant to O.C.G.A. 36-11-1 and O.C.G.A. § 36-33-5:

(1) Time and Location of Occurrence

The incident occurred on Saturday, July 31, 2021, in Augusta-Richmond County, at the Red Roof Inn located at 3030 Washington Road, approximately between 7:00pm and 12:00am, as Mrs. Mayes, Ja'Quez Paschal, Ja'Vontae Coleman and Zyrese Mayes arrived back at the Red Roof Inn where they had been staying.

(2) Place of Transaction or Occurrence

Please see the response to No. 1 above.

(3) Nature of the Injuries and Loss Suffered

As a result of the tortious acts and omissions discussed herein, Mrs. Mayes, et al suffered undue bodily harm; mental anguish and physical pain and suffering; and medical expenses. Furthermore, Mrs. Mayes claims any and all damages associated with the excessive force of the Richmond County Sheriff's Office at the Red Roof Inn located at 3030 Washington Road.

(4) Amount of the Loss Claimed

While it is difficult to value the injuries and overall pain and suffering endured by Mrs. Mayes, we believe this amount to be \$10,000,000.00 (Ten Million Dollars). This amount is stated to the best of the claimant's belief and knowledge at this time and is subject to change as we investigate and acquire additional information surrounding the circumstances.

(5) Negligent Acts or Omissions

Augusta-Richmond County Sheriff's Office had a duty to exercise reasonable diligence to protect and serve the community without depriving Mrs. Mayes, et al of liberty without due process

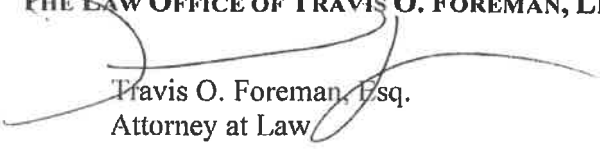
or unreasonable seizure of its citizens. At all times hereto, Augusta-Richmond County Sheriff's Office negligently and/or willfully failed to take preventive measures such as adequate personnel training, hiring, and supervision, as well as, utilized excessive force while making a false arrest or imprisonment of Mrs. Mayes, et al. Augusta-Richmond County Sheriff's Office was entrusted by Mrs. Mayes, et al and the rest of its citizens to provide reasonably safe conditions by protecting and serving the community. However, Augusta-Richmond County Sheriff's Office breached its duty by negligently and/or willfully failing to protect and serve with prompt, appropriate, reasonable, and necessary force upon the matter that occurred on July 31, 2021, at the Red Roof Inn located at 3030 Washington Road. But for the said acts and omissions, Mrs. Mayes, et al would not have suffered loss as she did.

As a result of the tortious acts and omissions discussed above, Mrs. Mayes, et al suffered undue bodily harm, mental anguish, and pain and suffering. Therefore, Mrs. Mayes, et al are entitled to seek and bring claims for damages associated with Augusta-Richmond County Sheriff's Office breach of duty.

Thank you for your anticipated cooperation and timely response to this matter.


Best Regards,

~~THE~~ LAW OFFICE OF TRAVIS O. FOREMAN, LLC



Travis O. Foreman, Esq.
Attorney at Law

TOF/rlf
cc: client

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Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

EXHIBIT B

Itemized Statement of Damages

The Plaintiff, Sonya Alicia Mayes, by counsel, submits the following itemization of damages:

Provider:	Dates of Service:	Amount:
1. Augusta University Medical Center	07/31/2021 –	Requested / TBD
2. Brice Health Management Services, P.C.	11/10/2021 – 03/10/2022	\$ 4,055.00
3. Orto Sport & Spine Physicians	12/21/2021 – 09/20/2022	\$ 158,428.92
4. Quest Physical Therapy		Requested / TBD